

Mr. Dennis then moved to strike out 500, being the number of shares reserved to the state and insert 2000.

Mr. Kennedy called for a division of the question, and it was taken on striking out, and determined in the affirmative.

The question then recurred, and was put, on inserting 2000, and determined in the negative.

On motion of Mr. Kennedy, the question was then put on inserting 1000, and determined in the affirmative.

Mr. Kennedy then offered the following as an additional section to be numbered 20.

Sec. 20. And be it enacted that nothing in this act shall ever be so construed as to prevent the legislature from incorporating at any time hereafter, another company for the purpose of making a rail road from Baltimore to the District of Columbia. Which amendment was read and rejected.

On motion of Mr. Dennis, the senate then re-considered the 5th section of the bill.

Mr. Heath then offered the following as an amendment, to come in at the end of the 5th section.

And be it enacted, that the power is hereby reserved to the legislature and to the several county or county commissioners of the counties of this State to construct necessary public roads crossing the rail road herein before authorized. Provided, that in passing or crossing, no injury shall be done to the works of the company by this act incorporated.

Mr. Dennis then offered the following as a substitute for the amendment offered by Mr. Heath.

"And if any road shall be hereafter authorized by the legislature, or county authority of this State, the direction of which shall lead across the rail road hereby authorized, it shall be the duty of the company in this act mentioned to construct or alter that part of the rail road as shall permit the passage of any road hereafter to be allowed by the legislature or county authorities of this State, at the expense of the county or person opening said road. Which was read and adopted."

Mr. Heath then offered the following as an amendment to come in as the 8th section of the bill.

Insert the following as the 8th section of the bill:
"And be it enacted, that if at the end of two years after the said road shall be completed from the beginning to the end thereof, it shall appear from the average profits of the said two years that the said income and profits thereof will not bear a division of six per centum per annum on the whole capital stock of the said company, expended in the construction thereof, then it shall and may be lawful to, and